

## Amendments to the Claims

1. – 62. (canceled)

### Please add the following claims:

63. (new) A method of transmitting voice data in a network, comprising:
- establishing a connection between a first device and a second device through a packet switched network using a packet switched network communications protocol;
  - transmitting, from the first device, original voice data in original packets through the connection;
  - determining a replication factor at the first device; and
  - transmitting, from the first device, redundant voice data by replicating the original voice data including a redundancy index, wherein the redundancy index is based upon the replication factor.
64. (new) The method of claim 63, comprising:
- determining if a replication flag has been set;
  - if the replication flag has been set, determining a replication factor comprising determining an under-utilization of a modem.
65. (new) The method of claim 64, comprising setting a replication flag based upon one of either reception of a redundancy request or a comparison of an input error rate to a threshold.
66. (new) The method of claim 63, determining a replication factor comprising one of determining an under utilization of a modem, network resources, or a redundancy request.
67. (new) The method of claim 63, transmitting redundant voice data comprising transmitting the redundant voice data as additional packets.

68. (new) The method of claim 67, transmitting the redundant voice data as additional voice packets comprising transmitting additional voice packets with redundancy indices.

69. (new) The method of claim 63, transmitting the redundant voice data as additional data in off-series original packets.

70. (new) The method of claim 63, transmitting, from a first device, comprising transmitting from one of a transmitting endpoint or a router between the transmitting endpoint and the second device.

71. (new) A device to transmit voice data in a network, comprising:

a connection to a network allowing the device to connect to a second device through a packet switched network using a packet switched network communications protocol;

a processor to:

transmit original voice data in original packets through the connection;

determine a replication factor; and

transmit redundant voice data by replicating the original voice data, wherein the redundant voice data has a redundancy index based upon the replication factor.

72. (new) The device of claim 71, the processor further to:

determine if a replication flag has been set;

if the replication flag has been set, determine a replication factor comprising determining an under-utilization of a modem.

73. (new) The device of claim 71, the processor to determine a replication factor depending upon one of an under utilization of a modem, network resources, or a redundancy request.

74. (new) The device of claim 71, the processor to transmit redundant voice data as additional packets.

75. (new) The device of claim 71, the processor to transmit the redundant voice data as additional voice packets with redundancy indices.

76. (new) The device of claim 71, the processor to transmit the redundant voice data as additional data in off-series original packets.

77. (new) The device of claim 71 comprising a transmitting endpoint or a router between the transmitting endpoint and the second device.

78. (new) An article of computer-readable medium containing instructions, that when executed, cause the computer to:

establish a connection between a first device and a second device through a packet switched network using a packet switched network communications protocol;

transmit, from the first device, original voice data in original packets through the connection;

determine a replication factor at the first device; and

transmitting, from the first device, redundant voice data by replicating the original voice data including a redundancy index, wherein the redundancy index is based upon the replication factor.

79. (new) The article of claim 78, the instructions further to cause the computer to:

determine if a replication flag has been set;

if the replication flag has been set, the code causing the computer to determine a replication factor further causing the computer to determine an under-utilization of a modem.

80. (new) The article of claim 79, the code causing the computer to set a replication flag based upon one of either reception of a redundancy request or a comparison of an input error rate to a threshold.

81. (new) The article of claim 78, the code causing the computer determine a replication factor based upon an under utilization of a modem, network resources, or a redundancy request.
82. (new) The article of claim 78, the code causing the computer to transmit redundant voice data causing the computer to transmit the redundant voice data as additional packets.
83. (new) The article of claim 78, the code causing the computer to transmit the redundant voice data as additional data in off-series original packets.
84. (new) A device to transmit voice data in a network, comprising:  
a means for allowing the device to connect to a second device through a packet switched network using a packet switched network communications protocol;  
a means for transmitting original voice data in original packets through the connection;  
a means for determining a replication factor; and  
a means for transmitting redundant voice data by replicating the original voice data,  
wherein the redundant voice data has a redundancy index based upon the replication factor.
85. (new) The device of claim 81, the device comprising:  
means for determining if a replication flag has been set;  
means for determining a replication factor comprising determining an under-utilization of a modem, if the replication flag has been set.
86. (new) The device of claim 81 the device comprising a transmitting endpoint or a router between the transmitting endpoint and the second device.